

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

UNITED STATES OF AMERICA

Appellee

v.

Record No. 16-4732

MICHAEL LAWRENCE MAYNES, JR.

Appellant

APPELLANT'S SECOND AMENDED MOTION FOR LEAVE TO SUBMIT
JOINT APPENDIX IN EXCESS OF 500 PAGES

COMES NOW appellant Michael Lawrence Maynes, Jr., by counsel, and moves this Court pursuant to Local Rule 32(a) of the Rules of the Fourth Circuit for leave to submit a joint appendix containing more than 500 pages, and in support thereof states as follows:

1. this Court appointed undersigned counsel, pursuant to the Criminal Justice Act, to represent appellant Michael Lawrence Maynes, Jr. in the above-styled appeal;

2. counsel for appellant Michael Lawrence Maynes, Jr. herein obtained the United States' designations of the record for inclusion in the joint appendix, and specified for the Government appellant's proposed contents. Counsel for appellant made several counts of the designated contents for both parties before stating the figure of 1050 pages in his amended motion for leave to submit a joint appendix in excess of 500 pages;

3. on January 23, 2017 this Court entered an Order granting appellant's motion to submit a joint appendix containing not more than 1050 pages;

4. the printer produced an electronic version of the joint appendix containing 1558 pages, which is 508 pages more than appellant stated in his amended motion for leave to submit the excess appendix;

5. no contents were added to the joint appendix for either party to this appeal since appellant filed his amended motion for leave to submit an excess appendix;

6. other than the pages added for the index to the joint appendix volumes, the docket sheet and the District Court's judgment, counsel for appellant cannot account for the differential between his stated estimate of 1050 pages and the ultimate production of a 1558 page joint appendix;

7. appellant respectfully requests that the Court grant leave to submit the joint appendix containing 1558 pages as produced;

8. counsel for the United States does not object to appellant's second amended motion for leave to submit a joint appendix containing 1558 pages;

9. the interests of justice will be served by the Court's entry of an Order granting appellant Michael Lawrence Maynes, Jr. leave to file a joint appendix containing 1558 pages.

Wherefore your appellant Michael Lawrence Maynes, Jr., by counsel, respectfully moves this Court for an Order granting him leave to submit a joint appendix containing 1558 pages.

Michael Lawrence Maynes, Jr.
defendant, by counsel

/s/

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Certificate of Service

I certify that on January 27, 2017 I will electronically file the foregoing counsel's second amended motion for leave to submit a joint appendix in excess of 500 pages using the CM/ECF system, which will send notice of such filing to the following registered CM/ECF users:

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/s/

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